

REMARKS

In the Office Action, the Examiner noted that claims 16-25 and 27-30 are pending in the application; objected to claim 22 because it was deemed "not clear"; and rejected claims 16-25 and 27-30 under 35 U.S.C. § 102(e). In rejecting the claims, U.S. Patent 6,295,449 to Westerlage et al. (Reference A) was cited. Claims 16-25 and 27-30 remain in the case. The Examiner's objection and rejections are traversed below.

Objection to Claim 22

In item 1 on page 2 of the Office Action, the Examiner objected to claim 22 because it was deemed "not clear." No explanation was provided of what was not clear in claim 22. Claim 22 depends from claims 16, 20 and 21. Claim 21 recites that a memory is included in the apparatus "to store a second set of predetermined rules" (claim 21, lines 2-3). Claim 22 has always recited that the memory recited in claim 21 stores first and second subsets of predetermined rules, where the first subset is used when the generator of the supply voltage recited in claim 20 is in operation and the second set is used when the generator supply voltage is not in operation. Claim 20 recites that "the apparatus is installed in a mobile vehicle operated by one of a motor and an engine" (claim 20, lines 1-2). It is well-known that conventional mobile vehicles operated by an engine, e.g., the engine of an automobile, typically has a generator for generating electricity and at least one battery for providing electricity when the generator is not in operation, i.e., when the engine is turned off. Given the limitations recited in the claims from which claim 22 depends, it is submitted that one of ordinary skill in the art would have no difficulty understanding that a memory is provided to store two sets of rules, one for when the generator is in operation and one for when it is not.

In case the Examiner considered claim 22 to be unclear either due to the presence of the word "source" (which was not used in the preamble of claim 20) in the body of claims 20 and 22, or the failure to include in claim 22 the words "second set of" (used at lines 2-3 of claim 21) to identify the "predetermined rules" stored in the memory, claims 20 and 22 have been amended to be consistent with the wording used when the terms "generator" and "memory" are first introduced. As a result of these amendments, it is believed that claim 22 should be completely clear.

If the Examiner has any remaining questions regarding the clarity of any claim, the Examiner is respectfully requested to contact the undersigned by telephone to arrange an Examiner Interview to expedite the process of finding claim language that is unambiguous.

Rejections under 35 U.S.C. §102

In item 3 on pages 2-6 of the Office Action, claims 16-25 and 27-30 were rejected under 35 U.S.C. § 102(e) as anticipated by Westerlage et al. Specifically, it was asserted that the signal processing unit recited in claim 16 was anticipated by the microprocessor(s) 246 illustrated in Fig. 7 and described at column 16, lines 25-45 of Westerlage et al. However, claim 16 recites that the signal processing unit includes "a data analysis unit to record selected input signals at predetermined times" (claim 16, lines 9-10). On the other hand, Westerlage et al. only describes "storing of telephone numbers ... received as modem or DTMF data ... [which] may be recalled and automatically dialed" (column 16, lines 26-28) and that "processor 246 of communication unit 216 can execute software allowing for voice mail functions" (column 16, lines 28-30) using "a read-only memory 260 and a random access memory 262 ... for storage of instructions and data for operation of processor 246" (column 16, lines 31-34). Presumably, performing "voice mail functions" includes storing voice signals (most likely digitized) and control data used in accessing the voice signals.

It is not understood how any of the telephone numbers, voice signals or control data corresponds to "selected input signals" (claim 16, lines 9-10) that "a data analysis unit" (claim 16, line 9) in microprocessor 246 of the apparatus disclosed in Westerlage et al. "record[s] at predetermined times in accordance with recording rules defined in advance by the control center for short-term monitoring of information derived from the input signals" (claim 16, lines 9-11). In other words, nothing has been cited or found in Westerlage et al. that even suggests storing selected data for the purpose of short-term monitoring of information derived from the input signals, as recited in claim 16. Since claims 17-25 and 27-30 depend from claim 16, it is submitted that claims 16-25 and 27-30 patentably distinguish over Westerlage et al. for the reasons discussed above.

Entry of Amendment

First, it is noted that the April 6, 2004 Office Action was the first Office Action that provided substantive review of claim 22 and therefore, the Applicants were unable to address the objection to claim 22 in the Amendment filed December 12, 2003 in response to the first Office Action. Second, it is submitted that one of ordinary skill in the art would have had no difficulty understanding claim 22 without the changes that have been made. Furthermore, it is submitted that no new issues have been presented by the amendments made to claim 22 and thus, no new search should be required. Therefore, entry of this Amendment is respectfully requested.

Summary

It is submitted that Westerlage et al. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 16-25 and 27-30 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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